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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/671,631

09/29/2003

Michael Buschmann

1633.0052C

6246

27896

7590

01/25/2005

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EXAMINER

STONE, JENNIFER A

ART UNIT

PAPER NUMBER

2636

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/671,631

Applicant(s)

BUSCHMANN ET AL.

Examiner

Jennifer A Stone

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date December 1, 2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Bligh (US 6,646,545).

For claim 1, Bligh discloses a method for signaling the direction of an escape route to be taken in an emergency in a building with emergency warning units (Fig. 10, item 4) that are arranged in a distributed manner (col 3, Ins 4-7) and are connected to a central emergency warning system (col 5, Ins 15-18; Fig. 10, item 10), comprising: equipping the emergency warning units with luminous means (Fig. 10, item 4; col 4, Ins 61-65); and activating the luminous means sequentially in the manner of a running light by the central emergency warning system in an emergency (col 5, Ins 30-35), which running light designates the escape route leading away from a hazard site (col 5, Ins 43-55).

For claim 2, Bligh discloses storing information in the central emergency warning system (col 5, Ins 56-58), including all escape routes of the building (col 5, Ins 35-42), the physical location of all emergency warning units (col 5, Ins 61-64), and a program for determining at least one escape route to be chosen

depending on one or more incoming emergency reports (col 5, lns 43-46), which program calculates a beginning, a direction and an end of the at least one escape route leading away from the hazard site (col 4, lns 11-15; Fig. 4), and a sequence of the trigger commands for the luminous means of the emergency warning units to be activated (col 5, lns 15-20).

For claim 3, the central emergency warning system places the luminous means along at least one escape route in a blinking mode (col 5, lns 15-20).

For claim 4, Bligh discloses the central emergency warning system to deactivate the luminous means along escape routes designated as unsuitable or hazardous escape routes (col 5, lns 43-55). The green colored go-routes are deactivated and activated by symbols denoting danger.

For claim 5, physical locations of illuminated escape route signs are stored in the central emergency warning system and are co-processed in the program for determining at least one escape route (col 5, lns 30-42 and 56-67).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bligh (US 6,646,545).

For claims 6 and 7, Bligh discloses an additional, highly luminous, green LED in an idle state that is switchable to a blinking mode (col 4, Ins 61-65; col 5, Ins 16-20); however, upon an emergency situation, such as a smoke filled 'go-route' considered dangerous (col 5, Ins 46-50), a red-colored LED blinks to denote the dangerous area. It would have been obvious to one of ordinary skill in the art, at the time the invention was made to customize the system to a user's preferences by switching a green light to a blinking state upon an emergency condition. In addition, the use of a single colored LED is more cost efficient than the use of two different colored LED's.

For claim 8, at least one additional LED is physically configured as an arrow (Fig. 3).

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bligh (US 6,646,545) as applied to claim 1 above, and further in view of Lehman et al. (US 6,150,943).

Bligh discloses two LED's arranged as arrows facing in opposite directions (Fig. 8, item 1), wherein either of the two LEDs is configurable in a blinking mode (col 5, Ins 16-20); however, Bligh does not disclose the arrows to blink based on an existing emergency condition. Bligh does disclose symbols other than arrows to blink during an emergency condition (col 5, In 50). It would have been obvious to customize the system to a user's preferences by blinking the arrows based on an emergency condition. In addition, users' preferences will vary based the most apparent means of communicating emergency conditions. Furthermore, Bligh discloses neither a manual nor wall mounted unit. Lehman, on the other hand,

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discloses a manual (Fig. 8, item 24; col 7, lns 39-45) wall mounted unit (col 9, lns 17-24; Fig. 10, item 11A) for directing evacuees to various exits throughout a facility (col 8, lns 62-67; col 9, lns 1-6). It would have been obvious to include a manual, wall-mounted unit so that an individual can actuate the system if the individual detects a hazardous condition before the detectors/sensors detect the hazardous condition. In this case, the manual activation will facilitate a fast evacuation.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Shand et al. (US 4,754,266) discloses a wall-mounted, arrow-indicating evacuation unit directing pedestrians to exits.

Schriever (US 4,385,586) discloses wall mounted, arrow indicators for directing pedestrians to exits.

Bresnan (US 6,025,773) discloses wall mounted, arrow indicators for directing pedestrians to exits.

*Kobayashi (JP 06231378) discloses a wall-mounted, arrow-indicating evacuation unit directing pedestrians to exits.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer A. Stone whose telephone number is (571) 272.2976. The examiner can normally be reached 8:00-4:30, M-F.

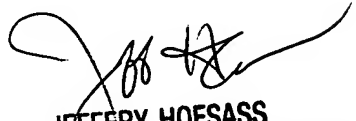
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Jeffery Hofsass can be reached at (571) 272.2981. The fax phone number for the organization where this application or proceeding is assigned is (703) 872.9306 for regular and after final communications.

Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272.2600.

* Translation pending.

Jennifer Stone
January 19, 2005



JEFFERY HOFSSASS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600